

Wetlands Bureau Decision Report

Decisions Taken
01/10/2011 to 01/16/2011

DISCLAIMER:

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

APPEAL:

I. Any affected party may ask for reconsideration of a permit decision in accordance with RSA 482-A:10,II within 30 days of the Department's issuance of a decision. Requests for reconsideration should:

- 1) describe in detail each ground for complaint. Only grounds set forth in the request for reconsideration can be considered at subsequent levels of appeal;
- 2) provide new evidence or information to support the requested action;
- 3) Parties other than the applicant, the town, or contiguous abutters must explain why they believe they are affected; and
- 4) Be mailed to the DES Wetlands Bureau, PO Box 95, Concord, NH 03302-0095.

II. An appeal of a decision of the department after reconsideration may be filed with the Wetlands Council in accordance with RSA 482-A:10, IV within 30 days of the department's decision. Filing of the appeal must:

- 1) be made by certified mail to George "Chip" Kimball, Chairperson, Wetlands Council, PO Box 95, Concord, NH 03302-0095 (a copy should also be sent to the DES Wetlands Bureau);
- 2) contain a detailed description of the land involved in the department's decision; and
- 3) set forth every ground upon which it is claimed that the department's decision is unlawful or unreasonable.

MAJOR IMPACT PROJECT

2009-01574 LYME, TOWN OF
LYME Unnamed Wetland Post Pond

Requested Action:

The applicant requests an amendment to the approved compensatory mitigation proposal.

APPROVE AMENDMENT:

Amend permit to read: Impact 61,013 square feet of wetlands for the reconstruction of an existing multi-use athletic field and to rehabilitate picnic area and beach. Impacts to wetlands include filling and grading 50,180 square feet for the existing recreational fields and adjacent areas; and 10,813 square feet for the rehabilitation of existing picnic areas. Compensatory mitigation includes conservation of the Lyme Hill Wetland property to be transferred to the Upper Valley Land Trust.

With Conditions:

With amended conditions:

1. All work shall be in accordance with plans by Pathways Consulting entitled Lyme Recreational Fields (Sheet 1-4 of 4) dated July 02, 2009, as received by DES on July 10, 2009.
2. This permit is contingent upon the conservation of the Lyme Hill Wetland property through transfer to the Upper Valley Land Trust (UFLT) for protection of the 16 acre parcel as depicted in documents entitled Materials to Support a Compensatory Mitigation Proposal for The Town of Lyme Recreation Commission as received by DES on January 3, 2011.
3. The UFLT shall own and manage the Lyme Hill Wetland property, offered as compensatory mitigation, so as to permanently protect sensitive ecological functions and values and provide for appropriate educational and recreational use and scenic enjoyment by the public.
4. UFLT's stewardship and uses of the property shall be consistent with the goals and purposes outlined in its Board Resolution dated November 17, 2010. In the event that UFLT determines another entity would be a more appropriate owner of the property or would provide further protection of the property, UFLT will ensure that the values outlined therein are protected in the public interest in perpetuity and will only transfer an interest in the property subject to permanent conservation restrictions.
5. The plan noting the conservation parcel with a copy of the final deed language shall be recorded with the Registry of Deeds Office for each appropriate lot. A copy of the recording from the County Registry of Deeds Office shall be submitted to the DES Wetlands Bureau prior to the start of construction.
6. The conservation area shall be surveyed by a licensed surveyor, and marked by monuments [stakes] prior to construction.
7. The Wetlands Bureau shall be notified of the placement of the monuments to coordinate on-site review of their location prior to construction.
8. There shall be no removal of the existing vegetative undergrowth within the conservation area and the placement of fill, construction of structures, and storage of vehicles or hazardous materials is prohibited.
9. This permit shall not be effective until it has been recorded with the Grafton County Registry of Deeds office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.
10. Activities in contravention of the conservation easement shall be construed as a violation of RSA 482-A, and those activities shall be subject to the enforcement powers of the Department of Environmental Services (including remediation and fines).
11. This permit is contingent on approval by the DES Alteration of Terrain Program.
12. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.
13. The Department has determined that this project is in the vicinity of an impaired waterbody. Therefore stormwater runoff treatment for this project shall be designed and constructed so that the stormwater pollutant loads from the completed project are no greater than the stormwater pollutant loads that existed prior to the project for all pollutants causing impairment which are likely to be in stormwater discharged from the completed project.
14. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
15. No more than 10 cu. yds. of sand may be used for beach replenishment.
16. No sand or fill material to placed below the reference line elevation of 428.8
17. This permit shall be used only once, and does not allow for annual beach replenishment.

18. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
19. No equipment shall enter the water.
20. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
21. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
22. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
23. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
24. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
25. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
26. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

With Findings:

1. The Department finds the new conservation parcel fulfills the intent of the mitigation rules and has higher environmental value.

2010-00493 TRANSCANADA HYDRO NORTHEAST INC, TIM DONELON
MONROE Connecticut River

Requested Action:

Impact 64,450 square feet of the riverbed and banks of the Connecticut River for fisheries mitigation projects below the Comerford dam. Work in jurisdiction includes 25,350 square feet for the removal cobbles and small boulders from the side channel entrances; 1,000 square feet for the installation of 26 boulder clusters; and 38,100 square feet of temporary impacts to the bed and banks of the river for construction access.

APPROVE PERMIT:

Impact 64,450 square feet of the riverbed and banks of the Connecticut River for fisheries mitigation projects below the Comerford dam. Work in jurisdiction includes 25,350 square feet for the removal cobbles and small boulders from the side channel entrances; 1,000 square feet for the installation of 26 boulder clusters; and 38,100 square feet of temporary impacts to the bed and banks of the river for construction access.

With Conditions:

1. All work shall be in accordance with plans by Stantec Consulting Services Inc. entitled Side Channel Velocity Refuge (Sheets C-100; C-101; C-102; C-201; C-301; C-302; C-501) dated November 2009 as received by the Department on March 05, 2010 and Velocity Refuge Boulder Cluster Project (Figures 3, 4 and 5) dated August 2010 as received by the Department on September 17, 2010.
2. The permittee shall designate a qualified professional who will be responsible for monitoring and ensuring that the restoration areas are constructed in accordance with the restoration plan. Monitoring shall be accomplished in a timely fashion and remedial measures taken if necessary.
3. The permittee or a designee shall conduct a follow-up inspection, to review the success of the restoration areas and schedule remedial actions if necessary. A report outlining these follow-up measures and a schedule for completing the remedial work shall be submitted to DES by December 1 of that year.
4. A post-construction report documenting the status of the completed project with photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.
5. The permittee shall notify DES and the local conservation commission in writing of their intention to commence construction no less than 5 business days prior to construction.

6. Restoration work within the river shall be done during periods of low flow.
7. Prior to construction silt fencing shall be placed around the rare plant populations.
8. The contractor(s) shall clean (pressure wash) all soils and vegetation from construction equipment prior to entering the river.
9. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
10. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate work area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
11. All in-stream work shall be conducted in a manner that minimizes the duration of construction in the watercourse.
12. Work shall be done during annual low flow conditions and during the months of May through September. No in-stream work shall occur after October 1 unless a waiver of this condition is issued by the DES Wetlands Bureau in consultation with the NH Department of Fish and Game.
13. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation during access road construction and areas cleared of vegetation to be revegetated within three days of the completion of this project.
14. The Permittee shall monitor the weather and will not commence work within flowing water, including the installation of cofferdams, when rain is in the forecast.
15. Work shall be conducted in a manner so as to minimize turbidity and sedimentation.
16. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands. Faulty equipment shall be repaired prior to entering jurisdictional areas.
17. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
18. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
19. Dewatering of work areas or of dredge materials, if required, shall be conducted in a manner so as to prevent turbidity.
20. Banks shall be restored to their original grades and to a stable condition within three days of completion of construction.
21. Areas from which vegetation has been cleared to gain access to the site shall be replanted with like native species.
22. The applicant shall notify DES Wetlands Bureau in writing within twenty-four (24) hours of an erosion event resulting in sediment entering a wetland or surface water.
23. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
24. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
25. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
26. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
27. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.
28. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

With Findings:

1. This is a Major Project per Administrative Rule Env-Wt 303.02 (c) Projects that involve alteration of nontidal wetlands, nontidal surface waters, and banks adjacent to nontidal surface waters in excess of 20,000 square feet in the aggregate.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant submitted a DES wetlands impact application for two projects: the Side Channel project (2010-00493) and the Boulder project (2010-00494). Since the side channel project can not occur without the access path from the Boulder project, the

project was reviewed and approved under a single file number, DES Wetlands Bureau File #2010-00493.

6. This fisheries mitigation project is a requirement of TransCanada's FERC license.

7. The work in the side channel is intended to eliminate fish stranding during low flow periods and provide suitable refuge habitat during high flows within the two side channels located on the western side of the Connecticut River.

8. The placement of boulder clusters is intended to provide velocity refuge habitat for salmonid fish within the section of the Connecticut River below Comerford Dam.

9. Boulder stability analysis determined that the boulders will be stable in this location.

10. The project involved extensive consultation with stakeholders: the U.S. Fish and Wildlife Service, Vermont Fish and Wildlife Department, Vermont Agency of Natural Resources, New Hampshire Fish and Game Department, New Hampshire Department of Environmental Services, Trout Unlimited and the Connecticut River Watershed Council.

11. The project is not expected to have an adverse impact on the federally endangered dwarf wedge mussel.

12. The NH Natural Heritage Bureau (NHB) recommended that a field survey for rare plants be conducted.

13. On August 21, 2009, Stantec Consulting completed a survey for rare, threatened and endangered plants.

14. The river access point was relocated downstream to avoid the rare, species that were found during the survey.

15. Prior to any work in the side channel, silt fence will be placed around populations of the rare plants.

16. In a letter dated October 15, 2009 NHB agreed with the methods for avoiding impacts to the rare plants.

17. The DES Watershed Management Bureau's Water Quality Planning Section (WMB) has reviewed the application. The WMB requested that the vehicles be pressure washed prior to entering the river.

18. The applicant provided DES with documentation signed by the landowners on February 13, 2010 granting authorization for temporary use.

19. The applicant has provided a waiver request per Env-Wt 204.03, to waive the delineation of wetland boundaries as required per Env-Wt 301.01.

20. Plans stamped by a Certified Wetland Scientist were provided for the Boulder Project.

21. The agent stated that entire side channel project area is comprised of jurisdictional wetlands habitats.

22. The agent submitted an aerial photograph with the delineation of different wetland habitats types using the Cowardin wetlands classification system.

23. There will be no adverse effect to the environment or natural resources of the state, public health, or public safety; or on abutting properties that is more significant than that which would result from complying with the Env-Wt 301.01.

24. The waiver is granted in accordance with Env-Wt 204.04(b), as strict compliance with the rule will provide no benefit to the public and will cause an operational or economic hardship to the applicant.

25. In accordance with RSA 428-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the riverine resource, as identified under RSA 482-A:1.

2010-00646 LITTLE, STEPHEN
PORTSMOUTH Little Harbor

Requested Action:

Add a 3' x 20' ramp and a 10' x 20' float with two float stop pilings, to an existing, permitted 8' wide x 38' long tidal pier. Overall structure length 75', providing two slips on 222' of frontage.

Inspection Date: 12/10/2010 by Dori A Wiggin

APPROVE PERMIT:

Add a 3' x 20' ramp and a 10' x 20' float with two float stop pilings, to an existing, permitted 8' wide x 38' long tidal pier. Overall structure length 75', providing two slips on 222' of frontage.

With Conditions:

1. All work shall be in accordance with plan (elevational view) by Stephen Little, dated 3/11/2010, as received by the Department on 6/5/2010, and per revised plan (plan view) by Stephen Little dated 6/23/2010, as received on 6/28/2010.

2. Any future work in jurisdiction as specified in RSA 482-A on this property will require a new application and approval by the Department of Environmental Services ("DES") Wetlands Bureau.

3. This permit shall not be effective until recorded at the Rockingham County Registry of Deeds Office by the permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau prior to construction.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain in until the area is stabilized.
5. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
6. The tidal docking structure consisting of a an existing, permitted 8' wide x 38' long tidal pier connecting to a 3' x 10' ramp and a 10' x 20' float with two float stop pilings, overall structure length 75', providing two slips on 222' of frontage, on Portsmouth Tax Map 207, Lot 42, on Piscataqua River Back Channel, shall be the only dock structure on this water frontage. All portions of the dock shall be at least 20 ft. from abutting property lines or the imaginary extension of those lines into the water, except where written permission from the abutting property owner to be within the 20' set back has been received by DES.
7. The float shall sit on float stops to prevent the float from sitting on the substrate during low tide.
8. Work shall be done during low tide.
9. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
10. Work shall be conducted in a manner that avoids excessive discharges of sediments to fish spawning areas.

With Findings:

1. This is a major impact project per Administrative Rule Wt 303.02(a), projects in sand dunes, tidal wetlands, or bogs, except for the repair of existing structures pursuant to Wt 303.04(v).
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01. There is currently only the permanent pier portion on the property to provide access to the water, with watercraft accessed by a ladder. Typical tidal docking structures consist of a permanent pier, ramp, and float.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03. The permanent pier was permitted and constructed in 1972. The requested ramp and float are seasonal, and will have float stops so as to not impact the tidal resource. The structure is the minimum length necessary to reach usable water on the Piscataqua River, and is consistent with docks approved in the immediate vicinity.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) and (c), Requirements for Application Evaluation, has been considered in the design of the project. Both the NH Natural Heritage Bureau and NH Fish & Game Department have reported that the species reported for the project vicinity will not be affected by the project. This project will not impede navigation in this location, based on review by the Pease Development Authority Division of Ports and Harbors per letter dated 7/29/2010. The dock is located greater than 20 feet off the abutting property line on one side, and the applicant owns the abutting lot and has provided a written statement allowing the structure to be within 20' of the property line of his second lot.
5. The Portsmouth Conservation Commission recommends approval of the application.
6. DES staff field inspection on 12/10/2010 found that the site is accurately represented in the application.

-Send to Governor and Executive Council-

2010-00806 MIACOMET DEVELOPMENT LLC
HOOKSETT Unnamed Wetlands

Requested Action:

Proposal to dredge and fill approximately 24,052 sq. ft. forested wetlands and associated intermittent stream for restoration and stabilization of an eroded "gully" and sediment filled wetlands. The proposed work will create an approximately 27,793 sq. ft. stormwater detention, treatment and "Bio Retention" areas and associated wetlands.

APPROVE PERMIT:

Dredge and fill approximately 24,052 sq. ft. forested wetlands and associated intermittent stream for restoration and stabilization of an eroded "gully" and sediment filled wetlands. The proposed work will create an approximately 27,793 sq. ft. stormwater detention, treatment and "Bio Retention" areas and associated wetlands.

With Conditions:

1. All work shall be in accordance with narratives by Gove Environmental Services, Inc., as received by the NH Department of Environmental Services (DES) on October 18, 2010 and plans by Edward N. Hebert Associates, Inc., revision date of November 10, 2010, as received by DES on November 19, 2010.
2. This permit is contingent on approval by the DES Alteration of Terrain Bureau.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
5. Work shall be done during low flow.
6. The applicant shall submit a complete construction sequence date proposal to DES for review and approval 30 days before the start of construction and no later than May 1, 2011.
7. The proposed plantings (noted on sheet 5 of 11) shall be a minimum of 2 ft. height stock.
8. Wetland creation and stabilization areas shall have at least 75% successful establishment of wetlands and stabilization vegetation after two (2) growing seasons, or it shall be replanted and re-established in a manner satisfactory to the DES Wetlands Bureau.
9. A qualified professional shall monitor the project during construction to assure it is constructed in accordance with the approved plans and narratives. A follow-up report shall be submitted to the Wetlands Bureau within 60 days of the completion of construction and after each of the following 2 growing season.
10. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
11. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
12. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
13. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
14. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
15. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
16. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
17. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
18. All refueling of equipment shall occur outside of surface waters or wetlands.
19. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(c) Projects that involve alteration of nontidal wetlands, nontidal surface waters, and banks adjacent to nontidal surface waters in excess of 20,000 square feet in the aggregate.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
4. DES Staff conducted a field inspection of the proposed project on May 5, 2010 in response to a complaint of erosion issues resulting in bank failures and sedimentation of wetlands.
5. The project is needed to address the ongoing erosion and sedimentation issue and provide stormwater treatment and detention areas for runoff before discharging to offsite wetlands and surface waters.
6. The proposed project will provide for the stabilization of drainage and improve the quality of the existing site runoff.
7. This permit is contingent on approval by the DES Alteration of Terrain Bureau.
8. DES has received comments from the United States Environmental Protection Agency ("EPA") indicating the project is eligible

for the New Hampshire State Programmatic General Permit ("SPGP").

9. The future phase of the project will require compensatory mitigation for wetlands or surface water impacts as required by Administrative Rule Env-Wt 302.03 and Administrative Rule Chapter Env-Wt 800.

10. In accordance with RSA 428-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the palustrine resource, as identified under RSA 482-A:1.

MINOR IMPACT PROJECT

2008-01197 ALTON, TOWN OF
ALTON Lake Winnepesaukee

Requested Action:

Request to dredge 14.6 cubic yards within 500 square feet within the bed of Lake Winnepesaukee and fill 100 square feet of wetland to extend an existing culvert 10 feet adjacent to Lake Winnepesaukee, Alton.

APPROVE PERMIT:

Request to dredge 14.6 cubic yards within 500 square feet within the bed of Lake Winnepesaukee and fill 100 square feet of wetland to extend an existing culvert 10 feet adjacent to Lake Winnepesaukee, Alton.

With Conditions:

1. All work shall be in accordance with plans by CMA Engineers dated February 2010, as received by the NH Department of Environmental Services (DES) on August 2, 2010.
2. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
3. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
6. Work shall be done during low flow.

With Findings:

Findings of Fact:

1. On February 6, 2009 DES denied the Town of Alton's request to dredge 14.6 cubic yards within 500 square feet within bed of Lake Winnepesaukee and fill 100 square feet of wetland to extend and existing culvert 10 feet adjacent to Lake Winnepesaukee.
2. On March 6, 2009 DES received a request for reconsideration.
3. On March 24, 2009 extended its review of the Request for Reconsideration to allow for meetings and site inspections.
4. The applicant submitted revised and updated plans as part of a reconsideration response for the Town of Alton.
5. As requested by DES, the project team and the Town of Alton has had extensive meetings and discussions with the NH DOT and DES to develop an improved drainage system for the area in the vicinity of Harmony Park.
6. The proposed drainage system has been designed by CMA Engineers with extensive feedback from NH DOT.
7. The project includes installation of a water quality unit to intercept and treat drainage coming off of Bay Hill Road before it

crosses Route 28A and discharges into Alton Bay.

8. The vast majority of the proposed drainage improvements are located in upland areas and have been included in a recent shoreland application (10-1837).

9. As part of the overall drainage analysis CMA Engineers is now recommending a 30 inch RCP pipe (from existing 24 inch) as the footprint of the previously proposed culvert extension.

10. This project will provide water quality treatment and decrease stormwater velocities in a location with little room and virtually no preexisting treatment.

11. This project will have a large public benefit by providing stormwater treatment and by serving to reduce erosion of the Harmony Park beach and minimizing potential sedimentation into Lake Winnepesaukee.

12. The docking referenced in the original decision was made in error as the docking is not located on the property owned by the Town of Alton.

2009-01903 MERRIMACK, TOWN OF
MERRIMACK Souhegan River

Requested Action:

Amend permit to include additional impact of 160 sq.ft. for bridge pier as temporary bypass bridge.

Conservation Commission/Staff Comments:

No comments were received from the Merrimack Conservation Commission on this application.

This project has been accepted on the list of bridge projects to receive "ARRA Related" funds.

NH DOT Project No. 15324

APPROVE AMENDMENT:

Impact a total of 4,942 sq. ft. within the embankments and flow channel of the Souhegan River for work associated with the superstructure replacement and widening of the Turkey Hill Road Bridge (NH DOT Bridge No. 085/119), and add total of 160 sq.ft of temporary impact to construct temporary access pier to handle bypass traffic while existing bridge superstructure is being removed.

With Conditions:

1. AMENDED: All work shall be in accordance with plans by Hoyle, Tanner & Associates, Inc. dated August 2009, as received by DES on August 17, 2009, and per amended plans received November 3, 2010.

2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and/or further permitting by the Bureau.

3. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

4. NH DES Wetlands Bureau Southeast Region staff shall be notified in writing prior to commencement of work and upon its completion.

5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

6. Work shall be done during low flow.

7. Unconfined work within the river, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.

8. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.

9. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.

10. Temporary cofferdams shall be entirely removed immediately following construction.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(c)&(l).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The proposed project is to replace the existing bridge with a new structure that can safely carry current statutory loading, emergency vehicles, school busses etc. The existing bridge railing is unsafe and does not meet current safety standards.
6. The wetland impacts are minimized to the immediate construction area only.

2010-00194

SILVER LAKE REALTY TRUST, DAVID & SYLVIA CULLINGTO

MADISON Silver Lake

Requested Action:

Repair an existing 62 linear feet of retaining wall and stabilize 47 linear feet of bank in front of the wall with rip rap and live stake and joint planting on an average of 138 ft of frontage on Silver Lake, in Madison.

Conservation Commission/Staff Comments:

No comments received from Con Com by Feb 26, 2010

APPROVE AMENDMENT:

Retain 6 linear feet of additional wall and 6' x 8' gravel pad and repair of existing 62 linear feet of retaining wall and stabilize 47 linear feet of bank in front of the wall with rip rap and live stake and joint planting on an average of 138 ft of frontage on Silver Lake, in Madison.

With Conditions:

1. All work shall be in accordance with revised plans by Stoney Ridge Environmental dated December 16, 2010, as received by DES on December 20, 2010.
2. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
3. This permit is contingent upon completion of the Restoration Plan Approval Letter issued on 01/13/2011.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
5. Work shall be done during low flow.
6. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
7. Work shall be conducted in a manner that avoids discharges of sediments to fish spawning areas.
8. Rip-rap shall be located landward of the shoreline at the normal high water.
9. Rip-rap shall be located above full lake elevation of 466.
10. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(k), projects that disturb between 50 and 200 feet of shoreline.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application

Evaluation, has been considered in the design of the project.

**2010-02475 FRED JOHN LUCY FAMILY NOMINEE TRUST, C/O MARK LUCY
NORTH CONWAY**

Requested Action:

Impact 1,146 square feet (153 linear feet) of the bank of Lucy Brook for to stabilize an eroding bank.

APPROVE PERMIT:

Impact 1,146 square feet (153 linear feet) of the bank of Lucy Brook for to stabilize an eroding bank.

With Conditions:

1. All work shall be in accordance with plans by White Mountain Survey Co., Inc. Lucy Brook Bank Stabilization Plan (Sheet 1 of 1) as received by DES on September 03, 2010.
2. The permittee shall designate a qualified professional who will be responsible for monitoring construction.
3. A post-construction report documenting the status of the completed project with photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.
4. Work shall be done during annual low flow conditions.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. All equipment shall work from adjacent banks or uplands and shall not enter flowing water.
7. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation during construction. Areas from which vegetation has been cleared to gain access to the site shall be replanted with like native species.
8. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
9. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
10. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
11. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
12. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
13. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
14. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.
15. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

With Findings:

1. This is a Minor Project per Administrative Rule Env-Wt 303.03 (l) Projects that alter the course of or disturb less than 200 linear feet of an intermittent or perennial nontidal stream or river channel or its banks and do not meet the criteria for minimum impact under Env-Wt 303.04(n).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04 Requirements for Application Evaluation, has been considered in the design of the project.
4. The project uses a combination of bioengineering and rip-rap.
5. The downstream banks have rip-rap.
6. The applicant has provided a letter from the owner of Conway tax map 216 lot 73 waiving the NH Wetlands Bureau requirement

of maintaining a 20 foot setback from their property.

7. NHB commented that although there was a NHB record present in the vicinity, they do not expect that it will be impacted by the proposed project.

8. No comments were submitted from the Conservation Commission.

**2010-03321 DRINKWATER, PAUL
NEWINGTON Upper Tidal Buffer Zone**

Requested Action:

Impact a total of 3,021 square feet in the developed upland tidal buffer zone, including 1,638 square feet of temporary impact, and 1,383 square feet of permanent impact, to install a conforming replacement septic system.

APPROVE PERMIT:

Impact a total of 3,021 square feet in the developed upland tidal buffer zone, including 1,638 square feet of temporary impact, and 1,383 square feet of permanent impact, to install a conforming replacement septic system.

With Conditions:

1. All work shall be in accordance with revised plans by Susan Faretra, NH Designer #946 dated 12/22/2010, as received by the NH Department of Environmental Services (DES) on 12/23/2010.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland, that exceeds the exemption for replacement of septic systems.
5. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(b), projects that involve work within 50 feet of a salt marsh that do not meet the criteria of Env-Wt 303.02.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The new system replaces a sub-standard system located within 36 feet of Great Bay.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project. There were no species of concern reported for the project vicinity by the NH Natural Heritage Bureau.
5. The Newington Conservation Commission is in support of the project, following plan note revisions regarding protection of existing trees on the site.

**2010-03385 INDIAN CAVE ASSOCIATION
SUNAPEE Lake Sunapee**

Requested Action:

Dredge 6.7 cubic yards from 225 sq ft in an existing boat slip, dredge 7.4 cubic yards from 247 sq ft in a second slip, and dredge 5.1 cubic yards from 160 sq ft in a third slip, located within a major docking system on 230 ft of frontage on Lake Sunapee, in Sunapee.

Conservation Commission/Staff Comments:

No comments from Con Com by Jan 11, 2011

APPROVE PERMIT:

Dredge 6.7 cubic yards from 225 sq ft in an existing boat slip, dredge 7.4 cubic yards from 247 sq ft in a second slip, and dredge 5.1 cubic yards from 160 sq ft in a third slip, located within a major docking system on 230 ft of frontage on Lake Sunapee, in Sunapee.

With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction dated October 15, 2010, as received by the NH Department of Environmental Services (DES) on December 17, 2010.
2. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
3. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
4. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
5. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(g), removal of no more than 20 cubic yards of material from the lakebed.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The proposed dredge is located completely within existing boat slips and does not create new slips.

2010-03413 DEMOULAS SUPERMARKETS
SEABROOK Unnamed Wetland

Requested Action:

Dredge and fill 9,790 square feet of wetlands for the redevelopment of an existing shopping center.

APPROVE PERMIT:

Dredge and fill 9,790 square feet of wetlands for the redevelopment of an existing shopping center.

With Conditions:

1. All work shall be in accordance with plans by Hayner Swanson, Inc entitled Seabrook Plaza (Sheets 1-3, 8, 9, 11, 17, 30, 31, and 32 of 38) dated September 2010 as received by the Department on December 21, 2010.
2. This permit is contingent on approval by the DES Alteration of Terrain Program.
3. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
4. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting

and pinning on slopes steeper than 3:1.

7. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.

8. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.

9. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

With Findings:

1. This is a minor project per 303.03(h) Projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters which exceed the criteria of Env-Wt 303.04(f).

2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.

3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04 Requirements for Application Evaluation, has been considered in the design of the project.

5. The application stated that the wetlands are low function areas with have limited habitat value. The wetlands may have been created by the existing development and were previously disturbed due to proximity of road retail areas.

6. The project will provide treatment and control of stormwater runoff from the site.

7. NHB determined that although there was a NHB record present in the vicinity they do not expect that it will be impacted by the proposed project.

MINIMUM IMPACT PROJECT

2008-02051 EVANS COVE CORPORATION
ASHLAND Little Squam Lake

Requested Action:

Retain approximately 500 square feet of beach sand replenishment (approximately 4 cubic yards) on Property with approximately 100 feet of frontage on Little Squam Lake

Conservation Commission/Staff Comments:

No comments from local Con Com

APPROVE AFTER THE FACT:

Retain approximately 500 square feet of beach sand replenishment (approximately 4 cubic yards) on property with approximately 100 feet of frontage on Little Squam Lake

With Conditions:

1. All work shall be in accordance with plans by Turtlepond Enterprises dated August 2009, as received by the NH Department of Environmental Services (DES) on August 11, 2009.

2. This After-the-Fact is contingent on removal of sand from the gravel shoulder as conditioned by NHDOT on June 2, 2009.

3. Sand placed within the NHDOT ROW may be required to be move out or the area restored to its original condition at your own expense at any time, per NHDOT letter dated June 2, 2009.

4. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau or Shoreland Program will require a new application and further permitting by the Bureau.

5. Any further work within the NHDOT ROW must be applied for by completing a NHDOT excavation permit.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(aa), replenishment of a beach
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The NHDOT does not object to beach replenishment within the ROW contingent on specific conditions.

2010-01237 PENCZ, E DAVID
PITTSBURG First Connecticut Lake

Requested Action:

Install a 4 ft x 32 ft seasonal dock on an average of 250 ft of frontage on First Connecticut Lake, Pittsburg.

APPROVE AFTER THE FACT:

Install a 4 ft x 32 ft seasonal dock on an average of 250 ft of frontage on First Connecticut Lake, Pittsburg.

With Conditions:

1. All work shall be in accordance with plans as received by the NH Department of Environmental Services (DES) on July 21, 2010.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to installation.
3. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft. from abutting property lines or the imaginary extension of those lines into the water.
4. Seasonal pier shall be removed from the lake for the non-boating season.
5. No portion of the pier shall extend more than 32 feet from the shoreline at full lake elevation.
6. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(a), construction of a seasonal dock.
2. TransCanada Hydro Northeast Inc has provided a letter granting permission for the installation of the seasonal docking structure.

2010-01954 PISANI, CAROL
HAMPSTEAD Island Pond

Requested Action:

Fill 119 square feet and 48 linear feet of a hand-dug ditch/intermittent stream to install a 12-inch by 40-foot CMP culvert for access to drill a new drinking water well and for continued safety and install a riprap apron at the culvert outlet. Retain a seasonal boat lift attached to the existing grandfathered dock on Big Island Pond with approximately 75-feet of shoreline frontage on a single family residential lot.

Conservation Commission/Staff Comments:

The Hampstead Conservation Commission signed the Minimum Impact Expedited Application.

Inspection Date: 12/13/2010 by Eben M Lewis

APPROVE PERMIT:

Fill 119 square feet and 48 linear feet of a hand-dug ditch/intermittent stream to install a 12-inch by 40-foot CMP culvert for access to drill a new drinking water well and for continued safety and install a riprap apron at the culvert outlet. Retain a seasonal boat lift attached to the existing grandfathered dock on Big Island Pond with approximately 75-feet of shoreline frontage on a single family residential lot.

With Conditions:

1. All work shall be in accordance with 'Shoreland Protection Plan Dredge & Fill Plan' by V.W. Dingman & Sons dated 05-21-10 and revised 12-20-10, as received by the NH Department of Environmental Services (DES) on January 6, 2010.
2. This permit shall not be effective until it has been recorded with the Rockingham County Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to installation.
3. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require further permitting by the Bureau.
4. DES Southeast Region staff shall be notified in writing prior to commencement of work and upon its completion.
5. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.
6. Work shall be done during drawdown and seasonal low flow conditions.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
9. Faulty equipment shall be repaired prior to entering jurisdictional areas.
10. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
11. All refueling of equipment shall occur outside of surface waters or wetlands.
12. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
13. Culvert outlets shall be properly rip rapped.
14. Seasonal pier shall be removed from the lake for the non-boating season.
15. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(ac) Installation of a seasonal boatlift in an existing grandfathered or legally-existing, permitted boat slip and Env-Wt 303.04(n) Projects that alter the course of or disturb less than 50 linear feet, measured along the thread of the channel, of an intermittent nontidal stream channel or its banks provided construction is performed during periods of non-flow
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. An inspection had been conducted at the property on December 13, 2010. The purpose of the inspection was to verify the location of jurisdictional impacts and if the plans accurately depict the site. Field inspection found that the proposed impacts are accurately depicted on the proposed plans. However, the existing, grandfathered dock had an illegal boat lift attached.
6. In accordance with Env-Wt 304.04, the applicant received written concurrence from the abutter identified as Mr. Walsh for those impacts within 20-feet of the property boundary line.

2010-02236 LAURICELLA, ROBERT & CATHERINE BUTLER
SUNAPEE Mountainview Lake

Requested Action:

Repair an existing 22 ft 1 inch x 16 ft 5 inch boathouse "in kind" with on an average of 65 ft of frontage on Mountainview Lake, in

Sunapee.

Conservation Commission/Staff Comments:

No Con Com comments by 12/16/2010

APPROVE PERMIT:

Repair an existing 22 ft 1 inch x 16 ft 5 inch boathouse "in kind" with on an average of 65 ft of frontage on Mountainview Lake, in Sunapee.

With Conditions:

1. All work shall be in accordance with plans by Robert Lauricella dated August 01, 2010, as received by the NH Department of Environmental Services (DES) on August 16, 2010, and plans by Robert Lauricella as received by the NH Department of Environmental Services (DES) on January 07, 2011.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested, prior to construction.
3. The repairs shall maintain the size, location and configuration of the pre-existing structures.
4. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if the DES later determines that the structures represented as "existing" were not previously permitted or grandfathered.
5. All construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
7. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
9. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.

FORESTRY NOTIFICATION

2010-03433 **RYAN, CHARLES & MARGARET**
LITTLETON **Unnamed Stream**

COMPLETE NOTIFICATION:

Littleton Tax Map 74, Lot# 21

2010-03454 **HOLMES, ALLAN**
NORTHWOOD **Unnamed Stream**

COMPLETE NOTIFICATION:

Northwood Tax Map/Lot# 206/77 & 212/32

2010-03455 SIMARD, GEORGETTE
LONDONDERRY Unnamed Stream

COMPLETE NOTIFICATION:
Londonderry Tax Map 6, Lot# 92

2011-00001 MORSE, STEVEN
OSSIPEE Unnamed Stream

COMPLETE NOTIFICATION:
Ossipee Tax Map 232, Lot# 4

2011-00002 ROWSE, SANDRA
SPRINGFIELD Unnamed Stream

COMPLETE NOTIFICATION:
Springfield Tax Map 18, Lot# 115,080

2011-00010 BLAISDELL, ROSCOE
NOTTINGHAM Unnamed Stream

COMPLETE NOTIFICATION:
Nottingham Tax Map 74, Lot# 3 & 3-1

2011-00011 BLAISDELL, ROSCOE
RAYMOND Unnamed Stream

COMPLETE NOTIFICATION:
Raymond Tax Map 45, Lot# 2, 7

2011-00012 NEW HAMPTON SCHOOL
NEW HAMPTON Unnamed Stream

COMPLETE NOTIFICATION:
New Hampton Tax Map R3, Lot# 1, 26

2011-00014 GIBBONS, TERRENCE
GILMANTON Unnamed Stream

COMPLETE NOTIFICATION:
Gilmanton Tax Map 413, Lot# 76, 88

2011-00020 BUONOMANO, MATT
FITZWILLIAM Unnamed Stream

COMPLETE NOTIFICATION:
Fitzwilliam Tax Map 15, Lot# 1,2

2011-00053 **COPP, ANNE**
DANBURY **Unnamed Stream**

COMPLETE NOTIFICATION:
Danbury Tax Map 409, Lot# 81

2011-00054 **GALLAGHER, BRYAN & DENISE**
BROOKFIELD **Unnamed Stream**

COMPLETE NOTIFICATION:
Brookfield Tax Map 21, Lot# 2

2011-00081 **BATCHELDER, VERNE**
PIERMONT **Unnamed Stream**

COMPLETE NOTIFICATION:
Piermont Tax Map R11, Lot# P-58

2011-00085 **SANBORN, BRUCE**
EPSOM **Unnamed Stream**

COMPLETE NOTIFICATION:
Epsom Tax Map R8, Lot#12

2011-00089 **ERNSTROM, EDWARD**
GRAFTON **Unnamed Stream**

COMPLETE NOTIFICATION:
Grafton Tax MapLot# 15/853 & 19/1068

2011-00090 **STAVASKI, KATHLEEN**
ENFIELD **Unnamed Stream**

COMPLETE NOTIFICATION:
Enfield Tax Map 16, Lot# 12

2011-00091 **SAVCHICK, PAUL**
EATON **Unnamed Stream**

COMPLETE NOTIFICATION:
Eaton Tax Map R11, Lot#13A

2011-00092 BAYROOT LLC - MOXIE TREE FARM, C/O WAGNER FOREST M
CARROLL Unnamed Stream

COMPLETE NOTIFICATION:
Carroll Tax Map 401, Lot# 1

2011-00093 MURPHY, RICHARD
CAMPTON Unnamed Stream

COMPLETE NOTIFICATION:
Campton Tax Map 8-2, Lot# 15

2011-00104 THE PARKER FAMILY TRUST
CAMPTON Unnamed Stream

COMPLETE NOTIFICATION:
Campton Tax Map 8, Lot# 1, 2, 3

2011-00106 GOFFSTOWN VILLAGE WATER PRECINCT
GOFFSTOWN Unnamed Stream

COMPLETE NOTIFICATION:
Goffstown Tax Map 48, Lot# 1-38

2011-00110 PETRYK, JAMES/REBECCA
ENFIELD Unnamed Stream

COMPLETE NOTIFICATION:
Goffstown Tax Map 48, Lot# 1-38

2011-00111 RICE, JOHANNA
KENSINGTON Unnamed Stream

COMPLETE NOTIFICATION:
Kensington Tax Map 12, Lot# 46

2011-00113 NOYES, DAVID
HANOVER Unnamed Stream

COMPLETE NOTIFICATION:
Hanover Tax Map 11, Lot# 42

2011-00120 TABOR, SARAH
FREEDOM Unnamed Stream

COMPLETE NOTIFICATION:

Freedom Tax Map 8, Lot# 41

EXPEDITED MINIMUM

2010-02924 **SCELZA, PATRICIA**
SPOFFORD **Spofford Lake**

Requested Action:

Denied for insufficient & untimely response

With Findings:

1. A request for additional information dated (date of More Information Request), addressed to the applicant or agent of record, clearly identified the requirement that the applicant to submit additional information to DES within 60 days of the request.
2. Pursuant to RSA 482-A:3, XIV(a) (1), if the requested additional information is not received by DES within 60 days of the request, DES shall deny the application.
3. DES did not receive the requested additional information within the 60 days and therefore the application has been denied.

2010-02992 **CHAILLE, GERRY**
TILTON

Requested Action:

Denied due to insufficient & untimely response

With Findings:

1. A request for additional information dated (date of More Information Request), addressed to the applicant or agent of record, clearly identified the requirement that the applicant to submit additional information to DES within 60 days of the request.
2. Pursuant to RSA 482-A:3, XIV(a) (1), if the requested additional information is not received by DES within 60 days of the request, DES shall deny the application.
3. DES did not receive the requested additional information within the 60 days and therefore the application has been denied.

2010-03132 **FULTON, DELLA/KEITH**
LEMPSTER **Dodge Pond**

Requested Action:

Construct a 900 sq ft perched beach with less than 10 cubic yards of sand on Dodge Pond, Lempster.

Conservation Commission/Staff Comments:

Con Com did not sign Exp Application

APPROVE PERMIT:

Construct a 900 sq ft perched beach with less than 10 cubic yards of sand on Dodge Pond, Lempster.

With Conditions:

1. All work shall be in accordance with plans by WM Evans Engineering LLC dated August 2010, as received by the NH Department of Environmental Services (DES) on November 16, 2010.
2. Dredged or excavated material shall be placed outside of the DES Wetlands Bureau jurisdiction.
3. Stone placed along the beach front for the purpose of retaining sand shall be placed above and/or landward of those rocks currently located along the normal high water line (Elevation 1203). Those rocks existing at the normal high water line shall remain otherwise undisturbed such that the natural shoreline remains identifiable.
4. The steps installed for access to the water shall be located completely landward of the normal high water line.
5. No more than 10 cu. yds. of sand may be used and all sand shall be located above the normal high water line.
6. This permit shall be used only once, and does not allow for annual beach replenishment.
7. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
8. Revegetation of trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project shall begin at a distance no greater than 5 feet landward from the beach area.
9. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
10. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(d), construction of a perched beach.

2010-03225 BENNETT, DOUGLAS
HAMPTON Salt Marsh

Requested Action:

Impact 119 linear feet within the previously disturbed 100-foot tidal buffer zone to rebuild and extend an existing dry-laid block wall to retain soil surrounding sonotubes supporting an existing deck.

Conservation Commission/Staff Comments:

The Hampton Conservation Commission 'does not oppose the granting of the wetlands permit'.

APPROVE PERMIT:

Impact 119 linear feet within the previously disturbed 100-foot tidal buffer zone to rebuild and extend an existing dry-laid block wall to retain soil surrounding sonotubes supporting an existing deck.

With Conditions:

1. All work shall be in accordance with plans received by the NH Department of Environmental Services (DES) on November 30, 2010.
2. DES Southeast Region staff shall be notified in writing prior to commencement of work and upon its completion.
3. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require approval by the Bureau.
4. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
7. All temporary impacts and altered grades shall be restored.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(b) Projects in previously-developed upland areas within 100 feet of the highest observable tide line

unless they are major or minor as defined in Env-Wt 303.02 or Env-Wt 303.03, respectively.

2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2010-03356 MAUREEN KALFAS DEC 1991 REV TRUST
ALTON BAY Lake Winnepesaukee

Requested Action:

Place no more than 4 large rocks at the base of two trees to reduce wave energy and prevent further erosion at the base of the trees on Lake Winnepesaukee, Alton.

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Place no more than 4 large rocks at the base of two trees to reduce wave energy and prevent further erosion at the base of the trees on Lake Winnepesaukee, Alton.

With Conditions:

1. All work shall be in accordance with plans by Winnepesaukee Marine Construction revision dated January 10, 2011, as received by the NH Department of Environmental Services (DES) on January 11, 2011.
2. Rocks shall not be stockpiled in jurisdiction.
3. No rocks shall be dredged or deposited within 20 feet of an abutting property line or the imaginary extension of that line into the water.
4. Rocks shall be placed above full lake elevation of 504.32.
5. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(m), projects that disturb less than 50 linear feet of a shoreline of a lake.

2010-03358 FOSS, STEVEN
GILMANTON Unnamed Wetland Unnamed Stream

Requested Action:

Proposal to dredge and fill 1,042 sq. ft. of wetlands (includes approximately 50 linear ft. of intermittent stream) for construction of a driveway to a proposed single family building lot. Work consists of installation of a 48 in. x 48 ft. HDPE culvert embedded with 12 inches of rounded stone, rounded stone outlet protection, associated grading and filling.

Conservation Commission/Staff Comments:

1. The Conservation Commission signed the application waiving their right to intervene.

APPROVE PERMIT:

Dredge and fill 1,042 sq. ft. of wetlands (includes approximately 50 linear ft. of intermittent stream) for construction of a driveway to a proposed single family building lot. Work consists of installation of a 48 in. x 48 ft. HDPE culvert embedded with 12 inches of

rounded stone, rounded stone outlet protection, associated grading and filling.

With Conditions:

1. All work shall be in accordance with plans and narratives by Schauer Environmental Consultants, LLC dated October 26, 2010 and narratives, as received by the NH Department of Environmental Services (DES) on December 14, 2010.
2. Work shall be done during low flow.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
7. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
8. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
9. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
10. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
11. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
12. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
13. All refueling of equipment shall occur outside of surface waters or wetlands.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04((z)) Installation of a stream crossing and associated fill to permit vehicular access to a piece of property for a single family building lot, for noncommercial recreational uses including conservation projects, or for normal agricultural operations, provided:
 - (1) The total jurisdictional impact shall not exceed 3,000 square feet;
 - (2) The roadway width at the crossing shall not exceed 20 feet;
 - (3) The fill width, measured at toe of roadway side slopes, shall be minimized, for example, by making the sideslopes steeper and constructing walls, and not exceed 50 feet;
 - (4) Fill for any single wetland crossing shall not exceed 60 feet in length, measured along the centerline of the proposed access way; and
 - (5) Such projects shall be limited to crossings that:
 - a. Do not impact bogs, marshes, sand dunes, tidal wetlands, cedar swamps, or undisturbed tidal buffer zone;
 - b. Are not located in or within 100 feet of prime wetlands, unless a waiver has been granted pursuant to RSA 482-A:11, IV(b);
 - c. Do not meet the criteria of Env-Wt 303.02(k);
 - d. If crossing streams, qualify as minimum impact under Env-Wt 903.01(e); and
 - e. If crossing a swamps or wet meadows, cross those that have no standing water for 10 months of the year;
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2010-03400 SHAW, DAVID/LINDA
LACONIA Opechee Bay

Requested Action:

Repair in kind, 40 linear feet of retaining wall, repair in kind 18 linear feet of retaining wall, impact 300 sq ft of shoreline to construct a perched beach with less than 10 cubic yards of sand on Opechee Bay, Laconia.

Conservation Commission/Staff Comments:

Con Com did not sign Exp Application

APPROVE PERMIT:

Repair in kind, 40 linear feet of retaining wall, repair in kind 18 linear feet of retaining wall, impact 300 sq ft of shoreline to construct a perched beach with less than 10 cubic yards of sand on Opechee Bay, Laconia.

With Conditions:

1. All work shall be in accordance with plans by Stephanie Sanford dated December 07, 2010, as received by the NH Department of Environmental Services (DES) on December 20, 2010.
2. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
3. Repair shall maintain existing size, location and configuration.
4. Dredged or excavated material shall be placed outside of the DES Wetlands Bureau jurisdiction.
5. Stone placed along the beach front for the purpose of retaining sand shall be placed above and/or landward of those rocks currently located along the normal high water line (Elevation 492). Those rocks existing at the normal high water line shall remain otherwise undisturbed such that the natural shoreline remains identifiable.
6. The steps installed for access to the water shall be located completely landward of the normal high water line.
7. No more than 10 cu. yds. of sand may be used and all sand shall be located above the normal high water line.
8. This permit shall be used only once, and does not allow for annual beach replenishment.
9. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
10. Revegetation of trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project shall begin at a distance no greater than 5 feet landward from the beach area.
11. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(d), construction of a perched beach.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.

2010-03435 COSTANTINO, GERARD/KERRI
FREEDOM Ossipee Lake

Requested Action:

Replace in-kind existing grand-fathered wooden retaining wall and stair access on the shoreline of Ossipee Lake; total impact 570 square feet.

APPROVE PERMIT:

Replace in-kind existing grand-fathered wooden retaining wall and stair access on the shoreline of Ossipee Lake; total impact 570 square feet.

With Conditions:

1. All work shall be in accordance with plans by White Mountain Survey Co., Inc. dated 12/14/2010, as received by the NH

Department of Environmental Services (DES) on 12/27/2010.

2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. Retaining wall shall be constructed landward of the shoreline defined by the elevation of normal high water so as not to create land in public water.
4. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(c), repair of existing retaining walls; and Env-Wt 303.04(x) repair of existing non-docking structures.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. All work will occur within the same footprint as the existing structures using new and improved building materials.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project. Although there were species of concern reported for the project vicinity the NH Natural Heritage Bureau does not expect the species to be impacted by the project.
5. The Freedom Conservation Commission signed the minimum impact expedited application.

2010-03448 WOOD, KENNETH/MARION
MEREDITH Lake Winnepesaukee

Requested Action:

Permanently remove an existing 4 ft 6 in x 29 ft seasonal dock and install a 6 ft x 40 ft seasonal dock with a 3 ft x 7 ft concrete anchor pad, install a seasonal boatlift in the northern slip, install 2 PWC lifts along the shoreline to the north of the dock, on an average of 75 feet of frontage on Lake Winnepesaukee, Meredith.

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Permanently remove an existing 4 ft 6 in x 29 ft seasonal dock and install a 6 ft x 40 ft seasonal dock with a 3 ft x 7 ft concrete anchor pad, install a seasonal boatlift in the northern slip, install 2 PWC lifts along the shoreline to the north of the dock, on an average of 75 feet of frontage on Lake Winnepesaukee, Meredith.

With Conditions:

1. All work shall be in accordance with plans by Ames Associates dated December 17, 2010, as received by the NH Department of Environmental Services (DES) on December 29, 2010.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to installation.
3. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft. from abutting property lines or the imaginary extension of those lines into the water.
4. The existing seasonal dock shall be completely removed prior to the installation of these permitted structures.
5. Seasonal pier shall be removed from the lake for the non-boating season.

6. No portion of the pier shall extend more than 40 feet from the shoreline at full lake elevation.
7. Seasonal PWC lifts shall be removed for the non-boating season.
8. The seasonal boatlift shall be removed for the non-boating season.
9. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(a), construction of a seasonal dock providing no more than 2 boat slips.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has an average of 75 feet of shoreline frontage along Lake Winnepesaukee.
5. A maximum of 2 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
6. The proposed docking facility will provide 2slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.

GOLD DREDGE

2011-00050 LEMOINE, KEVIN
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc Bath ConCom

2011-00107 TETREAULT, NORMAN
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc Bath ConCom

TRAILS NOTIFICATION

2010-03049 USDA FOREST SERVICE, PEMIGEWASSET RANGER DIST
JEFFERSON Unnamed Stream

Requested Action:
Denied due to insufficient & untimely response

With Findings:

1. A request for additional information dated (date of More Information Request), addressed to the applicant or agent of record, clearly identified the requirement that the applicant to submit additional information to DES within 60 days of the request.
2. Pursuant to RSA 482-A:3, XIV(a) (1), if the requested additional information is not received by DES within 60 days of the

request, DES shall deny the application.

3. DES did not receive the requested additional information within the 60 days and therefore the application has been denied.

2010-03457 STREET, CHARLES
WESTMORELAND Unnamed Stream

COMPLETE NOTIFICATION:
Westmoreland Tax Map R3, Lot# 37

PERMIT BY NOTIFICATION

2010-03379 POINTE TRINITY ASSOCIATION
STRAFFORD Bow Lake

Requested Action:
Repair existing structure in kind.

Conservation Commission/Staff Comments:
Con Com did no sign PBN application

PBN IS COMPLETE:
Repair existing structure in kind.

With Findings:
1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(x), repair existing structures in kind.

2010-03421 OVERLOOK AT WINNI CONDO ASSOCIATION, C/O EVERGREEN
LACONIA Paugus Bay

Requested Action:
Repair of existing docking structures with no change in size, location or configuration.

Conservation Commission/Staff Comments:
Con Com did not sign PBN form

PBN IS COMPLETE:
Repair of existing docking structures with no change in size, location or configuration.

With Findings:
1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.

2011-00003 LAJOIE, DARRYL
SANBORNVILLE Lovell Lake

Requested Action:

Repair of existing docking structures with no change in size, location or configuration.

Conservation Commission/Staff Comments:

Con Com signed PBN form

PBN IS COMPLETE:

Repair of existing docking structures with no change in size, location or configuration.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.

2011-00119 LYDON, JOHN/DIANE
MEREDITH Lake Winnepesaukee

Requested Action:

Repair of existing docking structures with no change in size, location or configuration.

Conservation Commission/Staff Comments:

Con Com signed PBN form

PBN IS COMPLETE:

Repair of existing docking structures with no change in size, location or configuration.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.

CSPA PERMIT

2010-03447 WALKEY, EDWIN
WINDHAM Cobbett's Pond

Requested Action:

Impact 6,362 sq ft in order to construct a house with patio, driveway and septic system.

APPROVE PERMIT:

Impact 6,362 sq ft in order to construct a house with patio, driveway and septic system.

With Conditions:

1. All work shall be in accordance with plans by Edward N. Herbert Assoc. Inc. dated January 1, 2011 and received by the NH

Department of Environmental Services (DES) on January 13, 2011.

2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 19.5% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. At least 1,415 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2010-03459 SCHICKLING REALTY TRUST
WOLFEBORO Lake Winnepesaukee

Requested Action:

Impact 13,155 sq ft in order to remove nonconforming structure and construct a new structure located behind the 50 ft reference line with a pervious driveway and walkway.

APPROVE PERMIT:

Impact 13,155 sq ft in order to remove nonconforming structure and construct a new structure located behind the 50 ft reference line with a pervious driveway and walkway.

With Conditions:

1. All work shall be in accordance with plans by David M. Dolan Associates, P.C. dated December 29, 2010 and received by the NH Department of Environmental Services (DES) on December 30, 2010.
2. No more than 24.2% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 1,200 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 4,216 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2011-00016 PC DEVELOPMENT
WAKEFIELD Pine River Pond

Requested Action:

Impact 4,610 sq ft in order to construct a house with a gravel driveway.

APPROVE PERMIT:

Impact 4,610 sq ft in order to construct a house with a gravel driveway.

With Conditions:

1. All work shall be in accordance with plans by Hayes Engineering, Inc. dated December 20, 2010 and received by the NH Department of Environmental Services (DES) on January 3, 2010.
2. No more than 3.9% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 26,319 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 22,060 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2011-00024 MARDEN, ROBERT
HOLDERNESS Squam Lake

Requested Action:

Impact 1,200 sq ft in order to construct a two bedroom residence with a gravel driveway.

APPROVE PERMIT:

Construct a two bedroom structure. Total impact 1200 sqft.

With Conditions:

1. All work shall be in accordance with plans by Hinds Septic Design Services dated March 17, 2009 and received by the NH Department of Environmental Services (DES) on January 4, 2011.
2. No more than 3.8% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 21,016 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 21,016 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the

structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2011-00055 SASNER, JOANNE/JOHN
BARRINGTON Mendums Pond

Requested Action:

Impact 1,674 sq ft in order to widen banks on existing driveway and to add an addition with deck and ramp to existing house.

APPROVE PERMIT:

Impact 1,674 sq ft in order to widen banks on existing driveway and to add an addition with deck and ramp to existing house.

With Conditions:

1. All work shall be in accordance with plans by Geometres Blue Hills, LLC dated December 20, 2010 and received by the NH Department of Environmental Services (DES) on January 5, 2011.
2. No more than 9.7% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 25,103 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 12,827 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2011-00084 CROFT JR, PATRICIA/WILLIAM
SALEM Canobie Lake

Requested Action:

Impact 4,775 sq ft in order to construct a new dwelling with driveway and septic system.

APPROVE PERMIT:

Impact 4,775 sq ft in order to construct a new dwelling with driveway and septic system.

With Conditions:

1. All work shall be in accordance with plans by Meisner Brem Corporation dated December 9, 2010 and received by the NH Department of Environmental Services (DES) on January 6, 2010.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 20% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. The Natural Woodland Buffer was previously altered, leaving 0 sq ft of unaltered area.
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.

7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2011-00088 BROWN, GARY & AUDREY
CANAAN Goose Pond

Requested Action:

Impact 24,091 sq ft in order to construct a 5 bedroom dwelling with driveway, septic system, associated drainage and grading.

APPROVE PERMIT:

Impact 24,091 sq ft in order to construct a 5 bedroom dwelling with driveway, septic system, associated drainage and grading.

With Conditions:

1. All work shall be in accordance with plans by CLD Consulting Engineers dated December 1, 2010 and received by the NH Department of Environmental Services (DES) on January 7, 2011.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 11.9% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. The project as proposed will leave approximately 15,444 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 11,945 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2011-00094 DUDLEY, JEFF & CHERIE
WAKEFIELD Unnamed Wetland Balch Lake

Requested Action:

Impact 2,907 sq ft in order to construct a three bedroom home with a septic system.

APPROVE PERMIT:

Impact 2,907 sq ft in order to construct a three bedroom home with a septic system.

With Conditions:

1. All work shall be in accordance with plans by Land Tech dated August 1, 2010 and received by the NH Department of Environmental Services (DES) on January 7, 2010.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 16.8% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. The project as proposed will leave approximately 6,283 sq ft of the Natural Woodland Buffer beyond the primary building

setback in an unaltered state. At least 2,627 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).

5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2011-00101 DESORBO, JOHN/DONNA
WENTWORTH South Branch Baker River

Requested Action:

Impact 4,124 sq ft in order to construct single family residence with driveway and septic system.

APPROVE PERMIT:

Impact 4,124 sq ft in order to construct single family residence with driveway and septic system.

With Conditions:

1. All work shall be in accordance with plans by Northern Sun Septic Services dated December 13, 2010 and received by the NH Department of Environmental Services (DES) on January 10, 2011.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 10.3% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. The project as proposed will leave approximately 7,327 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 4,976 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

CSPA PERMIT W/WAIVER

2010-02974 LUCAS, SKY
SUNAPEE Sunapee Lake

Requested Action:

Impact 3,810 sq ft for the purpose of expanding the footprint of multiple nonconforming structures, installing new foundations and

incorporating stormwater management techniques.

APPROVE PERMIT:

Impact 3,810 sq ft for the purpose of expanding the footprint of multiple nonconforming structures, installing new foundations and incorporating stormwater management techniques.

WAIVER APPROVED: RSA 483-B:9, II(b) is waived to allow the expansion of a primary structures that encroach upon the primary building setback.

With Conditions:

1. All work shall be in accordance with revised plans by CLD Engineers dated September 10, 2010 and received by the Department of Environmental Services ("DES") on December 15, 2010 and revised plans received by the department on January 10, 2011.
2. This approval includes a waiver of RSA 483-B:9, II (b) and, therefore, shall not be effective until it has been recorded at the appropriate Registry of Deeds and a copy of the recorded waiver is sent to the department by certified mail, return receipt requested.
3. No more than 28.2% of the area of the lot within the protected shoreland shall be composed of impervious surfaces unless additional approval is obtained from DES.
4. The proposed stormwater treatment measures shall be designed, installed and maintained to effectively intercept and infiltrate stormwater from the existing driveway.
5. No impacts to natural ground cover shall occur within the waterfront buffer.
6. There shall be no impacts within wetlands, surface waters, or their banks until any permit as may be required under RSA 482-A has been obtained.
7. Upon completion of the proposed project, the submitted planting plan shall be implemented to ensure that all plantings achieve a 100% success rate.
8. In order to remain compliant with RSA 483-B:9, V, (b), (2), there shall be no impacts to native vegetation or natural ground cover between 50 feet and 150 feet from the reference line.
9. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
10. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
11. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
12. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
13. Any fill used shall be clean sand, gravel, rock, or other suitable material.
14. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
15. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
16. Silt fencing must be removed once the area is stabilized.
17. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

With Findings:

1. The existing non-conforming structures are located within the 50 ft primary building setback to Lake Sunapee and, therefore, fails to conform to the setback restriction set forth in RSA 483-B:9, II (b), of the CSPA.
2. In accordance with RSA 483-B:11, II, the commissioner shall review proposals which are more nearly conforming than the existing structures, and may waive some of the standards specified in RSA 483-B:9, so long as there is at least the same degree of protection provided to the public waters and the proposal is "more nearly conforming."
3. The applicant has proposed to install infiltration trenches below the drip-lines of all nonconforming structures.

4. The applicant has proposed to install stormwater controls consisting of a rain garden that will be capable of infiltrating stormwater from the existing driveway.
5. The applicant has proposed to enhance the waterfront buffer with additional levels of native vegetation.
6. The applicant has proposed to install sound stormwater controls and enhance the waterfront buffer with native vegetation, and therefore, meets the requirements for a waiver of RSA 483-B:9 as described in RSA 483-B: 11, I.

2010-03022 NOWELL, CARL
SALEM Shadow Lake

Requested Action:

Impact 2,181 sq ft for the purpose of constructing a new residential dwelling and installing a new septic system.

APPROVE PERMIT:

Impact 2,181 sq ft for the purpose of constructing a new residential dwelling and installing a new septic system.

WAIVER APPROVED: RSA 483-B:9, II(b) is waived to allow the expansion of a primary structure that encroaches upon the primary building setback.

With Conditions:

1. All work shall be in accordance with plans by the Meisner Brem Corporation dated November 2, 2010 and received by the Department of Environmental Services ("DES") on November 5, 2010 and additional materials received by DES on January 11, 2011.
2. This approval includes a waiver of RSA 483-B:9, II (b) and, therefore, shall not be effective until it has been recorded at the appropriate Registry of Deeds and a copy of the recorded waiver is sent to the department by certified mail, return receipt requested
3. No more than 25.9% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. This permit is contingent upon receiving all necessary approvals from the DES Subsurface Systems Bureau.
5. The proposed stormwater management plan shall be designed, installed and maintained to effectively intercept and infiltrate stormwater.
6. No impacts to natural ground cover or native vegetation shall occur within the waterfront buffer.
7. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
8. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
9. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
10. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
11. Any fill used shall be clean sand, gravel, rock, or other suitable material.
12. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
13. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
14. Silt fencing must be removed once the area is stabilized.
15. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
16. There shall be no impacts within wetlands, surface waters, or their banks until any permit as may be required under RSA 482-A has been obtained.
17. Upon completion of the proposed project, the existing holding tank will pose no threat to adjacent public surface waters.

With Findings:

1. The existing non-conforming structure is located within the 50 ft primary building setback to Shadow Lake and, therefore, fails to conform to the setback restriction set forth in RSA 483-B:9, II (b), of the CSPA.
2. In accordance with RSA 483-B:11, II, the commissioner shall review proposals which are more nearly conforming than the existing structures, and may waive some of the standards specified in RSA 483-B:9, so long as there is at least the same degree of protection provided to the public waters and the proposal is "more nearly conforming."
3. The applicant has proposed to decrease the impervious area within the protected shoreland by 97 sq ft.
4. The applicant has proposed to achieve a greater setback from the reference line.
5. The applicant has proposed to install a new NH DES Subsurface Bureau approved wastewater treatment system.
6. The applicant has proposed to install a new septic system and achieve a greater setback from the reference line, and therefore, meets the requirements for a waiver of RSA 483-B:9 as described in RSA 483-B: 11, I.

2010-03194 GREENSTEIN, ERIC/MEGAN
MEREDITH Lake Winnepesaukee

Requested Action:

Impact 3,089 sq ft for the purpose of expanding a residential dwelling and installing a new septic system.

APPROVE PERMIT:

Impact 3,089 sq ft for the purpose of expanding a residential dwelling and installing a new septic system.

WAIVER APPROVED: RSA 483-B:9, V(g)(1) is waived to allow the expansion of a primary structure on a lot within the protected shoreland that exceeds 30% impervious surface coverage.

With Conditions:

1. All work shall be in accordance with plans by Aspen Environmental Consultants and received by the Department of Environmental Services ("DES") on November 24, 2010 and additional materials received by DES on January 11, 2011.
2. This approval includes a waiver of RSA 483-B:9, V(g)(1) and, therefore, shall not be effective until it has been recorded at the appropriate Registry of Deeds and a copy of the recorded waiver is sent to the department by certified mail, return receipt requested.
3. No more than 32.02% of the area of the lot within the protected shoreland shall be composed of impervious surfaces unless additional approval is obtained from DES.
4. This permit is contingent upon receiving all necessary approvals from the NH DES Subsurface Systems Bureau and installing the proposed septic system.
5. The proposed stormwater treatment measures shall be designed, installed and maintained to effectively intercept and infiltrate stormwater.
6. No impacts to natural ground cover shall occur within the waterfront buffer.
7. There shall be no impacts within wetlands, surface waters, or their banks until any permit as may be required under RSA 482-A has been obtained.
8. In order to remain compliant with RSA 483-B:9, V, (b), (2), there shall be no impacts to native vegetation or natural ground cover between 50 feet and 150 feet from the reference line.
9. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
10. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
11. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
12. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
13. Any fill used shall be clean sand, gravel, rock, or other suitable material.
14. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
15. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface

waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

16. Silt fencing must be removed once the area is stabilized.

With Findings:

1. The existing non-conforming structure is located on a lot that exceeds 30% impervious surface coverage within the protected shoreland adjacent to Lake Winnepesaukee and, therefore, fails to conform to the impervious surface limitation set forth in RSA 483-B:9, V (g)(1), of the CSPA.
2. In accordance with RSA 483-B:11, II, the commissioner shall review proposals which are more nearly conforming than the existing structures, and may waive some of the standards specified in RSA 483-B:9, so long as there is at least the same degree of protection provided to the public waters and the proposal is "more nearly conforming."
3. The applicant has proposed to install stormwater controls consisting of infiltration trenches under the drip edges of the existing and proposed structure.
4. The applicant has proposed to install a new NH DES Subsurface Bureau approved wastewater treatment system.
5. The applicant has proposed to install stormwater controls and install a new septic system and, therefore, meets the requirements for a waiver of RSA 483-B:9 as described in RSA 483-B: 11, I.

2010-03376 COSTANTINO, GERARD/KERRI
FREEDOM Ossipee Lake

Requested Action:

Impact 165 sq ft for the purpose of constructing a new decking structure.

APPROVE PERMIT:

Impact 165 sq ft for the purpose of constructing a new decking structure.

With Conditions:

1. All work shall be in accordance with plans by White Mountain Survey dated December 14, 2010 and received by the Department of Environmental Services ("DES") on December 16, 2010.
2. No more than 14.8% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. This permit is contingent upon receiving all necessary approvals from the DES Wetlands Bureau for proposed impacts jurisdictional under RSA 482-A.
4. All pervious technologies used shall be designed, installed and maintained to effectively absorb and infiltrate stormwater.
5. Upon completion of the proposed project, all disturbed regions, including the bank of the waterfront buffer, will be stabilized with native vegetation.
6. In order to comply with RSA 483-B:9, V, (b), (2) at least 1,009 sq ft of area between 50 ft and 150 ft of the reference line must remain in an unaltered state.
7. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
8. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
9. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
10. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or

contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.

11. Any fill used shall be clean sand, gravel, rock, or other suitable material.

12. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

13. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

14. Silt fencing must be removed once the area is stabilized.

With Findings:

This project was a "replace in kind", constructed within the former dimensions of the pre-existing nonconforming primary structure and was shifted landward that achieved a greater setback, and therefore, is permissible under RSA 483-B:11.

UTILITY NOTIFICATION

2011-00096 PSNH
HILLSBOROUGH Unnamed Wetland

Conservation Commission/Staff Comments:
see file 11-15 for fee amount

2011-00097 PSNH
HINSDALE Unnamed Wetland

Conservation Commission/Staff Comments:
see file 11-15 for fee amount

2011-00098 PSNH
HOLDERNESS Unnamed Wetland

Conservation Commission/Staff Comments:
see file 11-15 for fee amount

2011-00099 PSNH
HOOKSETT Unnamed Wetland

2011-00100 PSNH
HUDSON Unnamed Wetland

2011-00126 PSNH
RAYMOND Unnamed Stream

Conservation Commission/Staff Comments:
see file 11-15 for fee amount

2011-00128 PSNH
JEFFERSON Unnamed Wetland

Conservation Commission/Staff Comments:
see file 11-15 for fee amount

2011-00129 PSNH
KEENE Unnamed Wetland

Conservation Commission/Staff Comments:
see file 11-15 for fee amount

2011-00131 PSNH
KENSINGTON Unnamed Wetland

Conservation Commission/Staff Comments:
see file 11-15 for fee amount

2011-00132 PSNH
KINGSTON Unnamed Wetland

Conservation Commission/Staff Comments:
see file 11-15 for fee amount

2011-00133 PSNH
LACONIA Unnamed Wetland

Conservation Commission/Staff Comments:
see file 11-15 for fee amount